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WESTERN DISTRICT OF TEXAS
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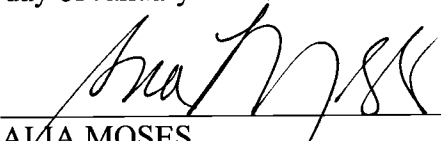
§ §

¹ As an aside, the Court is puzzled as to what the Defendants could be referring to when they complain of “costly, time-consuming, and expensive” discovery. (ECF No. 43 at 2.) Nearly all of the Defendants have already testified and a video of the incident in question exists, virtually eliminating the need for depositions and document discovery in this matter. That consideration factored heavily in the Court’s issuance of a scheduling order with accelerated deadlines. (ECF No. 22.) It was also a primary consideration, when paired with tardiness concerns, behind the Court’s denial of the discovery stay. In short, there is no “costly, time-consuming, and expensive” discovery the Defendants are subject to.

collateral order doctrine is inapplicable here, the Defendants require the permission of the Court to pursue their appeal under 28 U.S.C. 1292(b), which they do not have.

However, to assuage the Defendants' concerns of the prompt consideration of their immunity arguments, the Court will conduct a hearing on their merits at 9:00 a.m. on February 2, 2024, at the United States Courthouse in Del Rio, Texas. All parties and counsel shall appear in person.

SIGNED and ENTERED on this 10th day of January 2024.



ALIA MOSES
Chief United States District Judge